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Attorneys for Intervenor-Defendant
NANA REGIONAL CORPORATION

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

ENOCH ADAMS, JR., LEROY ADAMS,
ANDREW KOENIG, JERRY NORTON,
DAVID SWAN and JOSEPH SWAN,

Plaintiffs,

v.

TECK COMINCO ALASKA
INCORPORATED,

Defendant,

NANA REGIONAL CORPORATION, and
NORTHWEST ARCTIC BOROUGH,

Intervenor-Defendants.

Case No.: A:04-cv-0049 (JWS)

**NOTICE OF WITHDRAWAL OF
SECTION C OF DOCKET 218**

On January 29, 2008, Teck Cominco Alaska Incorporated (Teck Cominco) and NANA Regional Corporation (NANA) filed a Joint Motion and Memorandum in Support of Motion to Strike Plaintiffs' New Expert Reports.¹ Section C asserted that certain

¹ Doc. 218.

expert reports failed to meet Rule 26(a)(2)(B) requirements. Teck Cominco and NANA now withdraw Section C of the Joint Motion at Docket 218.²

Dated: February 20, 2008

Respectfully submitted,

Attorneys for Intervenor-Defendant
NANA REGIONAL CORP.

By /s/ James e. Torgerson
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Dated: February 20, 2008

Respectfully submitted,

HARTIG RHODES HOGE & LEKISCH
Defendant
TECK COMINCO ALASKA INCORPORATED

By /s/ Sean Halloran
SEAN HALLORAN (BAR NO. 9211080)

² Although Teck Cominco and NANA withdraw Section C of the Joint Motion, Teck Cominco and NANA each reserve the right to renew their motion as to the Rule 26 argument with respect to Mr. Fucik in the event that his newly disclosed testimony should have been included in his initial report.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing NOTICE OF WITHDRAWAL OF SECTION C OF DOCKET 218 was served via the method indicated below this 20th day of February, 2008, on the following parties:

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